



Catherine E. Pugh
Mayor

COMMISSION FOR HISTORICAL & ARCHITECTURAL PRESERVATION

Tom Liebel, Chairman

STAFF REPORT



Thomas J. Stosur
Director

June 12, 2018

REQUEST: Retain Unapproved Exterior Work

ADDRESS: 1000 W. Lombard Street (Union Square Historic District)

RECOMMENDATION: Disapproval

STAFF: Walter W. Gallas

PETITIONER(S)/OWNER: Sarbjit Singh

SITE/HISTORIC DISTRICT

Union Square Historic District: The Union Square local historic district is a dense area of rowhouses and commercial structures located in Southwest Baltimore. Two major features define the district: Union Square Park, a donation to the city in the 1840s, and Hollins Market with the city's oldest market building. Generally bounded by South Schroeder, West Pratt, South Fulton, and West Baltimore Streets, the area of approximately 21 blocks is comprised of over 1,000 buildings. The district is built on a hierarchical street-grid system laid down over gently sloping terrain by engineer-surveyor Thomas H. Poppleton following the land's 1816 annexation to the city.

Site Conditions/Architectural Description: The site is in the southeast corner of the local historic district on the north side of Lombard Street at S. Schroeder Street (*Image 1*). The building is a three-story three-bay corner rowhouse with a liquor store/bar on the first floor (*Image 2*). The 1890 Sanborn map of the section of this block between Schroeder and Mount Clare, an alley street, shows 1000 W. Lombard as a corner drug store (*Image 3*). The upper two floors of the Lombard Street façade contain one-over-one windows. The façade and lintels are covered in Formstone. Most first floor historic storefront details have been covered or removed—prior to the latest changes—with the exception of the band or fascia between the first and second floor that wraps around to a portion of the S. Schroeder Street side (*Images 4 & 5*).

BACKGROUND

- October 19, 2016—Housing's Building Inspections cited the property for "Work without or outside of scope of permit." Inspector's photographs showed the beginnings of work on the interior of the two ground floor bays flanking the entry door.
- October 20, 2016—Shokat Mirze, representing the owner, submitted an application and a plan for work at 1000 W. Lombard that included reconfiguring the first floor façade

by removing the Formstone-covered bays, installing a window, moving the front door, installing signage and installing a canopy (*Image 6*).

- October 25, 2016—CHAP staff, Walter Gallas, visited the site.
- October 27, 2016 –After the site visit, and after discussing the proposed plan with the applicant and CHAP director Eric Holcomb, and making notes on the plans while meeting with Mr. Mirze, Gallas wrote an Authorization to Proceed. Among the items approved in the ATP: a flat unlit sign of maximum dimension of 17’-0” by 1’-0” attached in the space between the 1st and 2nd floors on the Lombard Street side and removal of the corner hanging sign and supports. *No awning of any kind was approved, neither was an ADA ramp, a roll-down door, a window on the Schroeder Street side nor an awning over the Schroeder Street doorway.*
- December 24, 2016—Work to pour a concrete ramp at the front entry was noted and reported to CHAP.
- January-February 2017—Reports come into CHAP about work performed, and CHAP initiated request for inspection.
- March 15, 2017—Gallas asked code enforcement official Norris Turnipseed to inspect.
- March 20, 2017—Turnipseed issued written notice to owner’s attention for “violation of the Building, Fire and Related Codes of Baltimore City” including: commercial exterior modifications without a permit; commercial alcohol product signs in the window; and blinking commercial sign in window.
- April 5, 2017—Owner of property phoned Gallas.
- April 17, 2017—Gallas met with owner and owner’s husband to discuss the violations. Gallas told owner that the work that was not approved must be removed. No resolution was reached.
- April 19, 2017—Owner met with Gallas and CHAP director Holcomb, who informed her that the work done in violation should be removed. Again, no resolution was reached, and owner was informed of option to take the matter to the Commission for a public hearing, which she decided to do.
- May 9, 2017—At CHAP hearing, Commission reviewed proposal and, after hearing the staff report and public testimony, approved the following motion (six members present, six members in support):
 - The vinyl barrel awning is to be removed and replaced with a flat sign as per the Authorization to Proceed of October 27, 2017. Color of the new signage is to be approved by CHAP staff.
 - The hanging corner sign and sign supports are to be removed.
 - The awning over the side door on the Schroeder Street side is to be removed.
 - The metal roll-down door is to be removed; it may be installed on the interior.
 - The concrete ramp proposal will be reviewed by CHAP staff, needs to conform to Code, and needs a permit for minor privilege (to allow construction on public sidewalk).
 - Commission deferred to Zoning Code regarding signage, but per Code, commercial alcohol signs and blinking signs in windows are not permitted. Applicant’s representative agreed to move alcohol and blinking signs farther into interior.
 - Window on Lombard Street and window at corner of Schroeder Street may remain in place.
 - Work to be completed within four months of this hearing, by September 9, 2017.

- January 2, 2018—After the owner of the property sought judicial review of CHAP's May 9, 2017, decision, the Circuit Court for Baltimore City passed an order on January 2, 2018, vacating CHAP's May 9th decision because the owner's counsel was not afforded requested cross-examination. The Court remanded the matter to CHAP to hold a new hearing and to reach a decision based upon the evidence presented at the new hearing.

PROPOSAL & APPLICATION OF GUIDELINES

The applicant proposes to retain the unapproved exterior work (*Images 7 & 8*). This includes:

- A vinyl barrel awning with signage on the Lombard and Schroeder Street sides
- A hanging corner sign with additional signage
- A metal roll-down door at the front entry
- A concrete ramp on a portion of the front sidewalk
- A window on the Schroeder Street side
- An awning over a door on the Schroeder Street side
- Blinking lights in windows

Staff applied the following sections of the *Baltimore City Historic Preservation Design Guidelines* in reviewing the original application and in reviewing this application:

1.1 Identifying and Preserving Historic Building Fabric;

1.2.6 Stucco;

1.6 Doors;

1.7 Windows;

1.12 Signage and Awnings; and

1.16 Accessibility

1.1 Identifying and Preserving Historic Building Fabric

- Identify and assess character-defining features when considering changes to a historic building. Retain character-defining features, such as roof shape, openings for doors and windows, and unique detailing, when repairing, maintaining, or altering a historic building.

The building retains little character-defining fabric at the ground floor. Formstone covered two windowless bays on either side of a metal door. Any indication of a former storefront is seen in the band between the first and second floor, and a bit of Craftsman style detail in a bracket on the Schroeder Street side. For these reasons, staff approved alterations to what was already a substantially altered storefront, including removing the Formstone-covered bays.

1.2.6 Stucco

- Do not install modern exterior insulation finish systems (EIFS) as a replacement for stucco.

The application meets the guidelines. Staff approved tan-colored stucco as the cladding for the rebuilt façade after the removal of the Formstone-covered bays. They are not covered in EIFS.

1.6 Doors

- Preserve, repair, and maintain historic doors, doorway and entryway features that contribute to the building's architectural character, such as hardware, fanlights, sidelights, pilasters, entablatures, columns, balustrades, and stairs.
- Do not create new entrances on primary facades. Locate new openings on walls that will result in the minimal loss of historic materials and features. Design new openings to be compatible in size, scale, shape, proportion, material, and massing with the existing building features.
- Replace non-original, non-historic doors with new doors that are appropriate to the period and style of the building.

There were no historic materials or detailing in the entryway, and the most recent door was a metal door with small pane of glass. Therefore, staff permitted relocation of the opening with an aluminum frame glass door, provided that the right edge of the door aligned with the right edge of the second floor window above. These conditions were stated in the Authorization to Proceed. A metal roll-down door is not appropriate to a historic building of this type on a principal façade. It is an industrial feature and was not approved.

1.7 Windows

- Do not alter the size, location or shape of historic windows or window openings.
- In most cases, do not create new window openings or permanently block existing window openings on principal elevations.

As with the entryway, staff determined that there was no historic fabric remaining at the windowless first floor on the primary facade, and therefore approved the installation of a single-pane aluminum frame window at the left, provided that the left edge of the window align with the left edge of the second floor window above. These conditions were stated in the Authorization to Proceed. While the doorway seems to come close to aligning with the right edge of the second floor window, the window on the front is not installed to align with the left hand edge of the second floor window. Staff did not approve a rectangular single-pane glass window which was installed at the Schroeder Street side, just around the corner from the entry door.

1.12 Signage and Awnings

Property owners in historic neighborhoods must follow existing Baltimore City sign and awning codes within the zoning ordinance and any pertinent urban renewal plan, as well as the following guidelines:

- Place signs on areas of the building that were historically intended to receive signage, such as large plate glass windows, transoms, awnings, *broad plain fascias in a storefront cornice* (emphasis added), blank wall areas above a storefront cornice, spandrels, and other flat, unadorned surfaces of the facade. *Signs flush with the building's façade are preferred* (emphasis added).

The approved signage was to consist of a flat sign on the front band (fascia) above the first floor, a remnant of the storefront. The sign was to be a fabric stretched on a metal frame with a maximum size of 17 feet by 1 foot, and not lit. In addition, the existing corner hanging sign from a previous business was to be removed along with the sign supports. An awning was not approved. Contrary to the Authorization to Proceed, a barrel awning wrapping the building at the Lombard and Schroeder corner and containing signage was installed. Also, contrary to the Authorization to Proceed, the corner hanging sign was not removed. Instead, this sign was retained and altered to advertise the current business. Staff did not approve an awning which was installed over a door on the Schroeder Street side.

1.16 Accessibility

- Design barrier-free access as required by the Americans with Disabilities Act and state and local codes.

The October 2016 CHAP application and Authorization to Proceed did not include an ADA ramp at the front entry. A ramp was under construction in December 2016. A ramp plan was submitted and approved through the city ePlans system in May 2017. While CHAP was not included in the sign-off, the plan would have met ADA requirements. However, an inspection by Housing has determined that the ramp was not constructed as approved, and Housing is taking action to resolve the matter.

NEIGHBORHOOD COMMENTS

The Union Square and Hollins Roundhouse neighborhood associations and the Southwest Partnership were notified of the application.

ANALYSIS

The application and plans presented to CHAP staff in October 2016 were triggered by a citation for working without permits. In reviewing the application, staff recognized that the ground floor of the structure had been altered considerably even before the current ownership. Windowless Formstone-covered bays flanked a metal door. The only remaining evidence of a historic storefront was the band or fascia between the first and second floors on the Lombard Street side and wrapping a bit around the Schroeder Street side. Given those conditions, staff approved the removal of the Formstone on the ground floor, and the alignment of a new window and new door on the front façade. Staff recognized that the application called for an awning and signage that didn't meet the *Guidelines*. While CHAP doesn't control use or zoning, it nevertheless needs to consider the zoning code for cases such as signage. This is a non-conforming use in an R-8 Residential Zoning District, so residential signage regulations apply. Added to this is CHAP's authority to regulate the size, material, placement, and lighting of signs. For this reason, the Authorization to Proceed written in October 2016 is very specific on the description of the sign. The awning proposed did not meet the *Guidelines* in terms of material, form, or signage, and so was not approved. Despite the clear wording of the Authorization to Proceed, the following unapproved items were installed:

- A vinyl barrel awning with signage on the Lombard and Schroeder Street sides
- A metal roll-down door at the front entry
- A concrete ramp on a portion of the front sidewalk
- A window on the Schroeder Street side

- An awning over a door on the Schroeder Street side
- Blinking lights in windows

Furthermore, a hanging corner sign and support which was to be removed was retained and signage added for the new business.

RECOMMENDATION

- **CHAP staff recommends a finding of disapproval of the request to retain the exterior work performed without CHAP approval, and which does not meet CHAP design guidelines.**
- **The owner should work with staff to remove the unapproved alterations as soon as possible and make corrections that conform to the October 27, 2016, Authorization to Proceed.**



Eric Holcomb
Director

[illegible]

An aerial photograph of a residential neighborhood. The image shows several streets: Boyd Street running horizontally across the top, Mount Clare Street running vertically on the left, South Schroeder Street running vertically on the right, and West Lombard Street running horizontally across the bottom. A red arrow points to a specific house located between Mount Clare Street and South Schroeder Street, just north of West Lombard Street. The house is a multi-story building with a light-colored roof and a red roofline. The surrounding area includes other houses, trees, and parked cars.

1000 W. Lombard Street (Union Square Historic District) – Request to Retain Unapproved Work

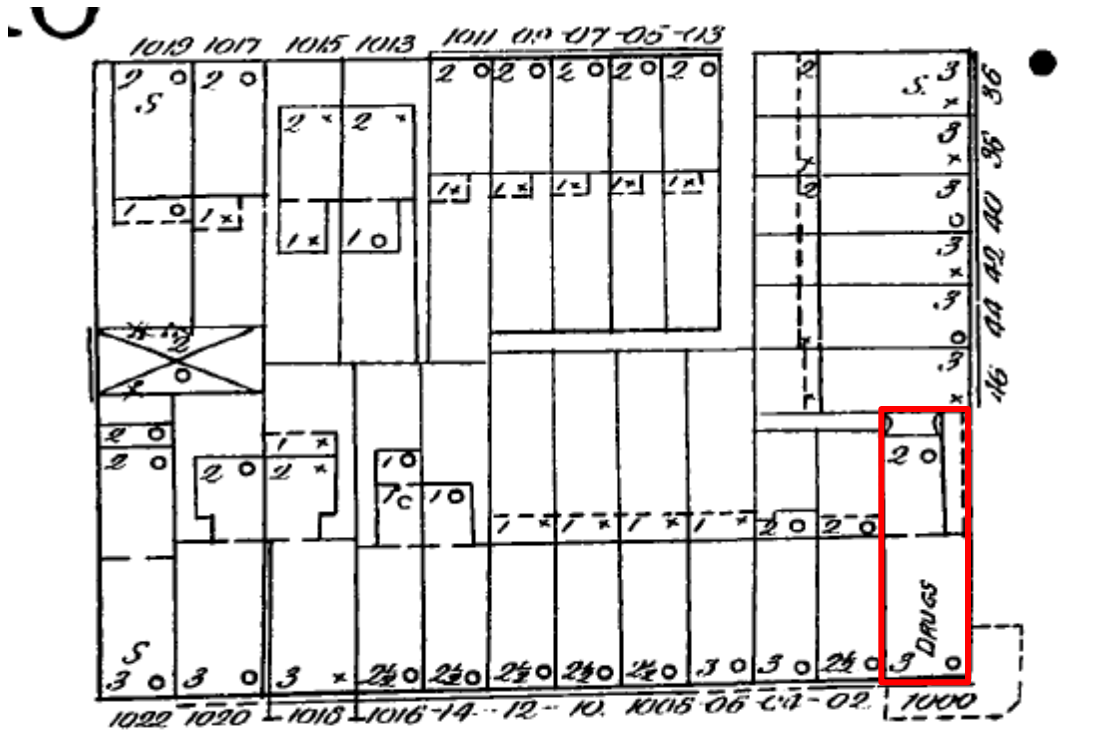


Image 3: Sanborn Map, 1890, 1000-1022 W. Lombard Street



Image 4: 1000 W. Lombard, Google Street View, August 2015



Image 5: 1000 W. Lombard, Schroeder Street Side, Google Street View, August 2015

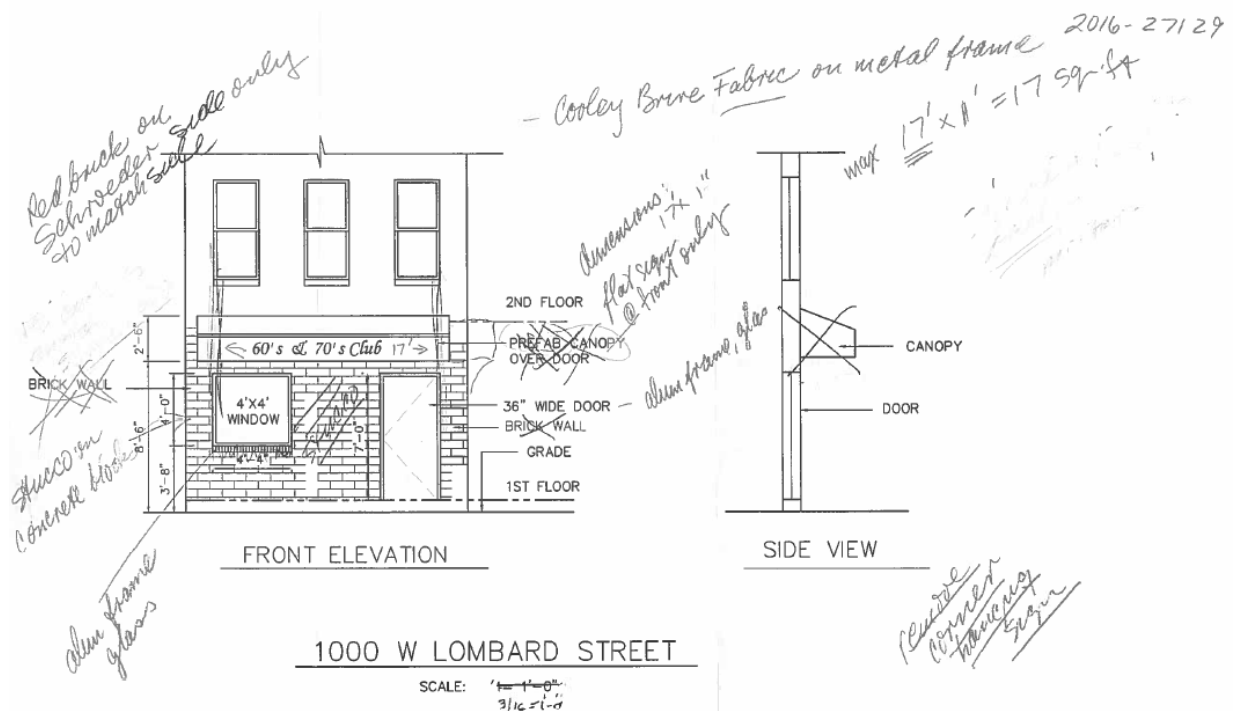


Image 6: Approved plan, with mark-ups by CHAP staff, October 26, 2016.



Image 7: 1000 W. Lombard, June 2, 2018 – Left edge of ground floor window was to align with left edge of 2nd floor window above; right edge of new front door was to align with right edge of 2nd floor window directly above.



Image 8: 1000 W. Lombard, Schroeder Street Side, June 2, 2018